

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

MOTION OFFENSE, LLC,

Plaintiff

v.

GOOGLE LLC,

Defendant.

Civil Action No. 6:21-cv-514-ADA

JURY TRIAL DEMANDED

PATENT CASE

CASE READINESS STATUS REPORT

Plaintiff Motion Offense, LLC (“Motion Offense” or “Plaintiff”), and Defendant Google LLC (“Google” or “Defendant”) hereby provide the following status report in advance of the initial Case Management Conference (“CMC”).

FILING AND EXTENSIONS

Plaintiff’s Complaint asserting infringement of U.S. Patent Nos. 10,303,353 (“the ’353 Patent”), 10,613,737 (“the ’737 Patent”), 10,803,140 (“the ’140 Patent”), 10,949,507 (“the ’507 Patent”), and 10,904,178 (“the ’178 Patent”) was filed on May 20, 2021. Plaintiff’s First Amended Complaint additionally asserting infringement of U.S. Patent No. 11,044,215 (“the ’215 Patent”) was filed on July 23, 2021. There has been one extension to answer of 45 days.

RESPONSE TO THE COMPLAINT

Defendant responded to the Complaint on September 30, 2021 with a partial motion to dismiss. Dkt. 17.

PENDING MOTIONS

Defendant's Motion to Dismiss is currently pending. Defendant agreed to Plaintiff's request for a one-week extension to respond to the Motion to Dismiss. Barring any further extensions, briefing on the Motion to Dismiss will be completed by October 28, 2021.

RELATED CASES IN THIS JUDICIAL DISTRICT

Dropbox, Inc. ("Dropbox") filed a declaratory judgment action against Motion Offense on August 14, 2019, alleging noninfringement of two patents not at issue in this case. *See No. 6:20-cv-00251-ADA* (WDTX). Motion Offense brought counterclaims of patent infringement against Dropbox based on the two patents raised by Dropbox and three additional patents, including two that are at issue in this case—the '353 Patent and the '737 Patent. *See id.* Dkt. 43. In a second case against Dropbox, filed July 23, 2021, Motion Offense asserted the '215 Patent, which is also asserted in this case. *See No. 6:21-cv-00758* (WDTX). This Court consolidated the two aforementioned cases on October 1, 2021. *See id.* Dkt. 19. This consolidated case is not a "CRSR Related Case" to the present action as defined by the Court's June 16, 2021 Amended Standing Order Regarding Notice of Readiness for Patent Cases.

IPR, CBM, AND OTHER PGR FILINGS

There are no known IPR, CBM, or other PGR filings.

NUMBER OF ASSERTED PATENTS AND CLAIMS

Plaintiff asserts six patents and six claims at this time. The asserted patents are the '353, '737, '140, '507, '178, and '215 Patents. Per the Court's Order Governing Proceedings, Plaintiff's Preliminary Infringement Contentions ("PICs") are due on October 14, 2021.

APPOINTMENT OF TECHNICAL ADVISER

The parties do not request a technical adviser be appointed at this time.

MEET AND CONFER STATUS

Plaintiff and Defendant met and conferred. Defendant intends to move to transfer this case to the Northern District of California pursuant to 28 U.S.C. § 1404.

Dated: October 7, 2021

Respectfully Submitted

/s/ Michael E. Jones

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CERTIFICATE OF SERVICE

I hereby certify that all counsel of record are being served with a copy of the foregoing document via the Court's CM/ECF system per Local Civil Rule CV-5(b)(1) on October 07, 2021.

/s/Timothy Devlin

Timothy Devlin